

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	\$	DEMAND 14	OTHER	JUDGE NUMBER	JURY DEM.	YR.	DOCKET NUMBER
	YR.	NUMBER	MO.	DAY	YEAR												
1085/4	76	0033	2	2	76	4		190	1	21				8510		76	0033-C

PLAINTIFFS

THE AETNA CASUALTY AND SURETY  
COMPANY, a foreign corporation

DEFENDANTS

NATIONAL BIO-LYTE SYSTEMS,  
INC., an Oklahoma corporation,  
MARION F. WEBSTER, CONNIE S.  
WEBSTER, BRYAN STIGER, and  
MARY I. STIGER

CAUSE

Recovery of Performance Bond.

ATTORNEYS

Knight & Wagner  
Alfred B. Knight, Dan Wagner  
310 Beacon Building  
Tulsa, OK 74103  
584-6457

Jack E. Gordon  
P. O. Box 767  
Claremore, Oklahoma 74017  
Atty. for Defts. Bryan & Mary  
(918) 341-3303 Stiger  
James P. Tanner (for Websters)  
417 West 1st  
Claremore, Ok. 74017

341-2131

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	3-1-76
				JS-6	9-1-76

DATE	NR.	PROCEEDINGS
<u>1976</u>		
2-2-	1.	Complaint, filed. Summons issued. ph
2-10		Summons, ret & filed: Served Bryan Stiger at Claremore, OK, on 2-9-76; served National Bio-Lyte Systems, Inc. at Claremore, OK, on 2-9-76; served Marion F. Webster by serving Connie S. Webster-wife at Claremore, OK, on 2-9-76; served Mary I. Stiger at Claremore, OK, on 2-9-76; served Connie S. Webster at Claremore, OK, on 2-9-76. (USM \$28.68)ph
3-1	2.	ANSWER, of Defts. Bryan & Mary Stiger, filed.jj
3-11	3	Appl. of defts. Marion & Connie Webster to file answer out of time, with ORDER grant leave to file answer. (HDC-J)g
3-11	4	Answer of defts. Marion F. Webster and Connie S. Webster, filed. g
4-2	5	Motion for Default Judgment of National Bio-Lyte Systems, inc. filed.tO-J
4-2	6	Brf in support of Mot. for Default Judg., filed.t
4-5	7	Filed and entered that Pltf. have judg. against Deft., Nat. Bio-Lyte in amount of \$10,000 plus interest, costs, & that said Deft. is enjoined from prosecuting or litigating any claim against this plaintiff. (HDC-J)t cps. mld. (cpy mld to said deft. on 4-23-76) ph
4-7	MO:	Case Set for PT hearing Thurs., June 10, 1976, at 11:00 A.M. (HDC-J)ph
4-22	8.	Affidavit of Al Knight of attempt to serve def. Natl. Bio-Lyte with default papers, filed. rm
5-20	9.	Pltf's motion for Summary Judgment, filed. ph
5-20	10.	Pltf's brief in support of motion for S/J, filed. ph
5-20	MO:	It is ordered by the Court that the defts. file a responsive brief within 10 days to the Pltf's motion for Summary Judgment, (HDC-J)ph cps mld
6-1	11.	Resp. of the defts. Brian Stiger and Mary I. Stiger to pltf's mo/ S/J, and mo/of the defts. Stiger for Summary Judgment, filed. ph
6-1	12.	Brief of the defts. Bryan Stiger and Mary I. Stiger, in resp. to pltf's motion for S/J, and in support of defts' motion for S/J, filed. ph
6-2	13.	Appl. of deft. Marion F. & Connie S. Webster for ext. of time to file resp. to pltf's motion for S/J, filed. ph (order is part of appl.)
6-2	MO:	It is ordered by the Court that the pltf. and defts. Websters file a resp. brief within 10 days to the defts' Stigers Motion for S/J. (HDC-J)ph ltr mld
6-2	14.	Order, as part of motion, granting defts. Websters to 6/9/76 to respond to pltf. mo/SJ, filed. (HDC-J)rm - copies mailed
6-9	15.	Response of defts. Websters to pltf. mo/SJ, filed. rm
6-9	16.	Mem. brief in support of response of defts. Websters, filed. rm
6-90	17.	Brief of the defts. Stiger & Stiger in resp. to pltf's motion for S/J, & in support of defts' motion for S/J, filed. hm
6-10	MO:	Pre-trial hearing held. Statements made. Parties to file stipulation of facts by 6-18, along w/briefs, then case will possibly be submitted on record for decision, if parties so advise Court. If case is to be tried, it is set for non-jury trial on 8-9-76 at 9:30 a.m., & trial briefs to be filed. If case to be submitted for decision, upon advice from counsel, motions will become moot. (HDC-J)hm
6-14	18.	<u>Pre-trial order, filed.</u> (HDC-J)rm
6-23	19.	Pltf's motion for ext. of time, filed, to file stip. of facts. hm
6-24	20.	Order (part of above motion), filed, granting pltf. until 7-12-76 to file stip. of facts. (HDC-J)hm (copies mailed)

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>76-C-33-C</u>
The Aetna Casualty and Surety Company	Marion F. Webster, et al	PAGE <u>3</u> OF <u>2</u> PAGES

DATE	NR.	PROCEEDINGS
1976		
7-12	21.	Stipulations of facts in supplement to the PT order, filed. ph
7-12	22.	Affidavit of Stephen C. Wilkerson, filed. ph
7-21	23.	Suppl. brief of pltf. in support of mo/SJ and brief in answer to def. mo/SJ, filed. rm
7-21	24.	Plaintiff exhibits introduced into evidence as per pre-trial agreement (with exhibits attached), filed. rm
7-22	MO:	It is ordered by the Ct. that the parties having advised the Ct. that they desire the case to be tried to the Court, and the case having heretofore been set for N/J trial on 8-9-76, trial briefs are to be filed on or before 8-4-76. (HDC-J)ph ltr. mld.
8-9	MO:	Case called for non-jury trial. Pltf. represented; defts. not represented. Pltf. announces settlement and makes record on amount. Final papers to be filed within one week. (HDC-J)hm
8-13	25.	Appl. to dismiss w/prejudice, fld. by parties. v -atty took o to J.
8-13	26.	Order, filed and entered that the complaint and all causes of action of pltf. be dismissed with prejudice to any future action. (HDC-J)ph cps mld

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PLAINTIFF

DEFENDANT

DOCKET NO. \_\_\_\_\_

PAGE \_\_\_\_ OF \_\_\_\_ PAGES

DATE

NR.

PROCEEDINGS